

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-00928-CJN**

PHILLIPS v. DEPARTMENT OF HOMELAND SECURITY et al  
Assigned to: Judge Carl J. Nichols  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/02/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**JOSHUA PHILLIPS**

represented by **Joseph Creed Kelly**  
LAW OFFICE OF JOSEPH CREED  
KELLY  
1712 Eye Street, NW  
Suite 915  
Washington, DC 20006  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**DEPARTMENT OF HOMELAND  
SECURITY**

represented by **Jason Todd Cohen**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
202-252-2523  
Email: [jason.cohen@usdoj.gov](mailto:jason.cohen@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**CUSTOMS AND BORDER  
PROTECTION**

represented by **Jason Todd Cohen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**IMMIGRATION AND CUSTOMS  
ENFORCEMENT**

represented by **Jason Todd Cohen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**CITIZENSHIP AND IMMIGRATION  
SERVICES**

represented by **Jason Todd Cohen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**

represented by **Jason Todd Cohen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant****ADMINISTRATION FOR CHILDREN  
AND FAMILIES**represented by **Jason Todd Cohen**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****DEPARTMENT OF JUSTICE**represented by **Jason Todd Cohen**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****DEPARTMENT OF STATE**represented by **Jason Todd Cohen**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****OFFICE OF MANAGEMENT AND  
BUDGET**represented by **Jason Todd Cohen**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/02/2019	<u>1</u>	COMPLAINT against All Defendants ( Filing fee \$ 400 receipt number 0090-6037211) filed by Joshua Phillips. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons DHS, # <u>3</u> Summons CBP, # <u>4</u> Summons ICE, # <u>5</u> Summons CIS, # <u>6</u> Summons HHS, # <u>7</u> Summons ACF, # <u>8</u> Summons DOJ, # <u>9</u> Summons DOS, # <u>10</u> Summons OMB, # <u>11</u> Summons US Atty Gen, # <u>12</u> Summons USAO DC)(Kelly, Joseph) (Entered: 04/02/2019)
04/03/2019		Case Assigned to Judge Reggie B. Walton. (zsb) (Entered: 04/03/2019)
04/03/2019	<u>2</u>	SUMMONS (11) Issued Electronically as to All Defendants, U.S. Attorney and U.S. Attorney General (Attachmen: # <u>1</u> Notice and Consent)(zsb) (Entered: 04/03/2019)
05/13/2019	<u>3</u>	NOTICE of Appearance by Jason Todd Cohen on behalf of All Defendants (Cohen, Jason) (Entered: 05/13/2019)
05/13/2019	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/16/2019. ( Answer due for ALL FEDERAL DEFENDANTS by 5/16/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. ADMINISTRATION FOR CHILDREN AND FAMILIES served on 4/15/2019; CITIZENSHIP AND IMMIGRATION SERVICES served on 4/15/2019; CUSTOMS AND BORDER PROTECTION served on 4/15/2019; DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 4/18/2019; DEPARTMENT OF HOMELAND SECURITY served on 4/15/2019; DEPARTMENT OF JUSTICE served on 4/16/2019; DEPARTMENT OF STATE served on 5/10/2019; IMMIGRATION AND CUSTOMS ENFORCEMENT served on 4/15/2019; OFFICE OF MANAGEMENT AND BUDGET served on 4/16/2019, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/16/2019. (Kelly, Joseph) (Entered: 05/13/2019)
05/14/2019	<u>5</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by ADMINISTRATION FOR CHILDREN AND FAMILIES, CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, IMMIGRATION AND CUSTOMS ENFORCEMENT, OFFICE OF

		MANAGEMENT AND BUDGET (Cohen, Jason) (Entered: 05/14/2019)
05/16/2019		MINUTE ORDER. Upon consideration of the <u>5</u> Defendants' Motion for Extension of Time to Answer or Otherwise Respond to Complaint, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the defendants shall respond to the plaintiff's Complaint on or before July 1, 2019. Signed by Judge Reggie B. Walton on May 16, 2019. (lcrbw3) (Entered: 05/16/2019)
05/16/2019		Set/Reset Deadlines: Answer to the Complaint due by 7/1/2019, (hs) (Entered: 05/16/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Reggie B. Walton is no longer assigned to the case. (rj) (Entered: 06/24/2019)
07/01/2019	<u>6</u>	ANSWER to Complaint by ADMINISTRATION FOR CHILDREN AND FAMILIES, CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, IMMIGRATION AND CUSTOMS ENFORCEMENT, OFFICE OF MANAGEMENT AND BUDGET.(Cohen, Jason) (Entered: 07/01/2019)
08/13/2019		MINUTE ORDER. Before the Court in this Freedom of Information Act case are a Complaint and an Answer. The requirements of Local Civil Rule 16.3 and Federal Rule of Civil Procedure 26(f) appear to be inapplicable. It is hereby ORDERED that the Parties shall confer and file a Joint Status Report on or before September 12, 2019. The Joint Status Report shall address: (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the Parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Carl J. Nichols on August 13, 2019. (lccjn1) (Entered: 08/13/2019)
08/14/2019		Set/Reset Deadlines: Joint Status Report due by 9/12/2019. (mac) (Entered: 08/14/2019)
09/07/2019	<u>7</u>	Unopposed MOTION for Extension of Time to File <i>Joint Status Report</i> by ADMINISTRATION FOR CHILDREN AND FAMILIES, CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, IMMIGRATION AND CUSTOMS ENFORCEMENT, OFFICE OF MANAGEMENT AND BUDGET (Cohen, Jason) (Entered: 09/07/2019)
09/11/2019		MINUTE ORDER. Upon review of Defendants' <u>7</u> Unopposed Motion for Extension of Time to File Joint Status Report, it is hereby ORDERED that the Motion is GRANTED and that the Parties shall file a Joint Status Report on or before September 26, 2019. Signed by Judge Carl J. Nichols on September 11, 2019. (lccjn3) (Entered: 09/11/2019)
09/11/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 9/26/2019. (zcdw) (Entered: 09/12/2019)
09/23/2019	<u>8</u>	Unopposed MOTION for Extension of Time to File <i>Joint Status Report</i> by ADMINISTRATION FOR CHILDREN AND FAMILIES, CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, IMMIGRATION AND CUSTOMS ENFORCEMENT, OFFICE OF MANAGEMENT AND BUDGET (Cohen, Jason) (Entered: 09/23/2019)
10/09/2019		MINUTE ORDER. Upon consideration of Defendants' <u>8</u> Unopposed Motion for Extension of Time to File Joint Status Report, it is hereby ORDERED that the Motion is GRANTED and that the Parties shall file a Joint Status Report on or before October 10, 2019. The Court notes that this is Defendant's second extension of time for this Joint Status Report and future extensions of time will be disfavored. Signed by Judge Carl J. Nichols on October 9, 2019. (lccjn3) (Entered: 10/09/2019)